

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

JESSE DREWNIAK, and

SEBASTIAN FUENTES,

Plaintiffs,

V.

Civil No. 1:20-cv-852-LM

U.S. CUSTOMS AND BORDER PROTECTION,

U.S. BORDER PATROL,

ROBERT N. GARCIA,
Chief Patrol Agent of Swanton Sector of U.S.
Border Patrol, and

RICHARD J. FORTUNATO,
Acting Chief Patrol Agent of Swanton Sector of
U.S. Border Patrol,

Defendants.

**PLAINTIFFS’ ASSENTED-TO MOTION TO SEAL (I) THE UNREDACTED VERSION
OF PLAINTIFFS’ MOTION TO COMPEL RECORDS AND (II) TWO EXHIBITS TO
PLAINTIFFS’ MOTION TO COMPEL**

Pursuant Paragraph 6 the Protective Order in this case (Doc. No. 82), L.R. 83.12, and A.P. 3.3, Plaintiffs request to seal at Level I (i) the unredacted version of Plaintiffs’ contemporaneously filed Motion to Compel Records and (ii) two exhibits—Exhibits F and H—attached to Plaintiffs’ Motion to Compel. A redacted version of the Motion to Compel Records has been filed publicly pursuant to Paragraph 6(b) of the Protective Order. The redacted portions of the Motion to Compel and the two exhibits contain information that has been designated by Defendants as “Confidential—Attorneys’ Eyes Only” pursuant to the Protective Order. This sealed pleading and two exhibits will be conventionally filed. Defendants assent to the relief requested in this Motion.

WHEREFORE, for the reasons stated above, Plaintiffs request that the Court:

a) Seal at Level I (i) the unredacted version of Plaintiffs' contemporaneously filed Motion to Compel Records, and (ii) Exhibits F and H attached to the Plaintiffs' Motion to Compel (Doc. No. 93); and

b) Other and further relief as this Court deems just and proper in the circumstances.

Dated: September 15, 2022

Respectfully submitted,

Jesse Drewniak and Sebastian Fuentes,

By and through their attorneys affiliated with the American Civil Liberties Union of New Hampshire Foundation, the American Civil Liberties Union of Maine Foundation, and the ACLU Foundation of Vermont,

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*Admitted *pro hac vice*